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Election
Patent
7/18/03

Attorney's Docket No. 033352-010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
)	
Tony Cruz et al.)	Group Art Unit: 1653
)	
Application No.: 09/978,309)	Examiner: S.W. Liu
)	
Filed: October 15, 2001)	Confirmation No.: 4565
)	
For: COMPOSITIONS AND METHODS FOR)	
TREATING CELLULAR RESPONSE)	
TO INJURY AND OTHER)	
PROLIFERATING CELL DISORDERS)	
REGULATED BY HYALADHERIN)	
AND HYALURONANS)	

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REPLY TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Reply to Restriction Requirement is submitted in response to the Office Action requiring restriction of the claims mailed May 15, 2003. It is being submitted on or before the current due date of July 15, 2003 and a Petition for a one month extension of time accompanies this response.

In the event that a telephone conversation could expedite the prosecution of this application, the Examiner is requested to telephone the undersigned at 650-622-2300 (extension 2330).

Restriction Requirement:

The Examiner has restricted the claims of this application to one of the following three inventions:

- I. Claims 1-6 and 10-14, drawn to a polypeptide and a pharmaceutical composition comprising the polypeptide thereof, classified in class 530, subclasses 300, and class 514, subclass 2.
- II. Claims 7-9, drawn to an antibody that binds to the polypeptide, classified in class 530, subclass 387.1.
- III. Claims 15-23 and 29-33, drawn to a method of treating a disease state comprising administering to a patient the polypeptide or an antibody that binds the polypeptide, classified in class 514, subclass 2, class 530, subclass 300, 388.1 and 389.1, and class 424, subclass 184.1.

The Examiner has further required, if Group 1 is elected applicant is also required to elect one peptide sequence by sequence identifier.

Response to Restriction Requirement:

In response, Applicants elect Group I, with traverse.

Applicants also elect, with traverse, the following species, as required by the Examiner: SEQ ID No.: 74.

Claims 1-6 and 10-14 read thereon.

Applicants submit that a combined search of the above claims and species should not impose an undue burden on the Examiner since any pertinent art relating to the invention of one is likely to be relevant to the others.

Conclusions:

Examination of this application on the merits are earnestly solicited.

Respectfully submitted,

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Date: July 2, 2003